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SB-308 Comments

February 15, 2011

Judiciary Committee
Montana Senate
PO Box 200500
Helena, MT 59620-0500

Dear Judiciary Committee members,

I write in support of SB-308, introduced by Senator Cliff Larson. I regret that I am unable to attend the committee hearing, but want to share my thoughts with you, nonetheless.

I was the sponsor of Missoula's breath/blood test refusal ordinance, which the Missoula City Council adopted in 2010. And while this was an important step for our community, I think that statewide legislation is a logical extension of local ordinances, like Missoula's. Montana's impaired driving statistics are an embarrassment, and the tragic results of these statistics are borne out in the carnage on our roadways and the obituaries of fellow Montanans who have died as a result of drivers under the influence.

It's too early to tell precisely how Missoula's blood/breath test refusal ordinance is making a difference on the streets, but it sends a very strong message that we are not going to tolerate attempts to get off the hook by simply refusing a blood/breath test. Driving is a privilege and not a right, which is why I found arguments against Missoula's ordinance (or, arguments that you might hear against SB-308) on constitutional grounds weak, at best.

You might also hear folks argue against SB-308 because it won't solve DUI. I'll grant them that, but quickly add that SB-308 is not meant to be a silver bullet, but rather constitutes an additional tool in the suite of tools available to law enforcement and our judicial system to address DUI.

Thanks for considering my comments, and I urge you to support this important piece of legislation.

Sincerely,

Dave Strohmaier
Missoula City Council, Ward 1